

# COLLINS, STARK & KENNEDY RELEASE REPORT ON CUSTODY SACRIFICES BY PARENTS OF MENTALLY ILL CHILDREN

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Senator, Congressmen Call for Action to End Practice that Fractures Families

## WASHINGTON

— At the request of Senator Susan Collins (R-ME), Congressman Pete Stark (D-CA), and Congressman Patrick J. Kennedy (D-RI), the General Accounting Office (GAO) today released a report indicating that thousands of American parents are voluntarily placing their children into foster care or juvenile justice systems as the only way to access the mental health services their children require.

Entitled, "Child Welfare and Juvenile Justice: Federal Agencies Could Play a Stronger Role in Helping States Reduce the Number of Children Placed Solely to Obtain Mental Health Services," the report says that in Fiscal Year 2001, 12,700 children from 19 states were placed into the juvenile justice or child welfare systems to receive mental health treatment.

The GAO believes the number nationwide is likely higher since many state child welfare directors did not provide data and they had limited coverage of county juvenile justice officials.

Without adequate insurance or other publicly supported care, the report says, families find themselves unable to meet the costs of care for seriously mentally ill children and adolescents, which can run into the tens or hundreds of thousands of dollars per year.

Lacking access to adequate care, parents turn in desperation to state child welfare and juvenile justice agencies. The states have different policies in that situation, but frequently parents lose custody and may lose any say over medical and other decisions concerning their children.

"I have worked on this problem for over a decade and I have introduced legislation in a previous Congress to address this issue," said Representative Stark. "We know the cause of the problem, now it is time for Congress to quickly act and ensure that these children have health insurance and that hospitals and other medical facilities have the capacity to provide them with mental health services."

"This report just confirms what too many families know first-hand: that our neglect of children's mental health care is destroying families," said

Kennedy. "Our government should be working to keep families together, not forcing them apart. I hope this report provides the catalyst to help the Congress and the states put an end to this terrible practice once and for all."

The report goes on to describe an alarming situation in several states that may be indicative of what is occurring on the national scene:

"According to officials in the six states we visited [Arkansas, California, Kansas, Maryland, Minnesota, and New Jersey], limitations of both public and private health insurance, inadequate supplies of mental health services, limited availability of services through mental health agencies and schools, and difficulties meeting eligibility rules for services influence such placements," said the report.

"One key to ending the phenomenon of custody relinquishment," said Kennedy, "is passage of mental health parity legislation, which would require insurers to cover mental health care on the same terms as physical care. According to the GAO report, inadequate health care coverage is a leading cause of custody relinquishment." Kennedy introduced a parity bill in the House, which a majority of Members have co-sponsored.

"This is a horrific situation in which parents are forced to make the ultimate sacrifice of giving up their children who are mentally ill to ensure that they receive proper health services," said Representative Stark. "I hope this report provides the necessary information to spur other Members of Congress to work with myself, Representative Kennedy and Senator Collins to make this problem a thing of the past."

As a result of the scope and seriousness of this problem, the GAO recommended that the Secretary of Health and Human Services and Attorney General investigate the feasibility of tracking children in the system to identify the extent and outcomes of placements and establish interagency coordination to stem the problem.

All three lawmakers expressed outrage that families were being broken apart for lack of adequate services. As a result, they are working on legislation that would incorporate the GAO recommendations and encourage states to move aggressively to ensure that families have access to mental health care without relinquishing custody.

A copy of the report can be accessed through the GAO's Web site at [www.gao.gov](http://www.gao.gov)